

J. SCOTT MOEDE, OSB 934816  
Chief Deputy City Attorney  
scott.moede@portlandoregon.gov  
NAOMI SHEFFIELD, OSB 170601  
Deputy City Attorney  
naomi.sheffield@portlandoregon.gov  
ROBERT YAMACHIKI, OSB 065560  
Senior Deputy City Attorney  
rob.yamachika@portlandoregon.gov  
Portland City Attorney's Office  
1221 SW 4th Ave., Rm. 430  
Portland, OR 97204  
Telephone: (503) 823-4047  
Facsimile: (503) 823-3089  
*Of Attorneys for Defendant City of Portland*

UNITED STATES DISTRICT COURT  
DISTRICT OF OREGON  
PORTLAND DIVISION

DON'T SHOOT PORTLAND, a nonprofit corporation, in its individual capacity, NICHOLAS J. ROBERTS, in an individual capacity and on behalf of themselves and all others similarly situated, MICHELLE "MISHA" BELDEN, in an individual capacity and on behalf of themselves and all others similarly situated, ALEXANDRA JOHNSON, in an individual capacity and on behalf of themselves and all others similarly situated,

**3:20-cv-00917-HZ**

**DECLARATION OF OFFICER LONDON  
WESTERLUND**

**(In Support of Defendant City of Portland's  
Response to Plaintiffs' Motion for  
Preliminary Injunction)**

**PLAINTIFFS,**

v.

CITY OF PORTLAND, a municipal corporation, and MULTNOMAH COUNTY, a political subdivision of the State,

**DEFENDANTS.**

I, London Westerlund, declare as follows:

1. I have been an officer with the Portland Police Bureau ("PPB") for 6 years. Prior to working for PPB, I was a reserve officer for 2 years with the Philomath police department. I

have served on the Rapid Response Team for about 3.5 years. As a part of the Rapid Response Team, I receive 40 hours of in-service training every other year plus approximately 10-20 hours of additional training annually. When I am not assigned to a Rapid Response Team, I am a patrol officer for the Central precinct.

2. On June 25, 2020, I was assigned to the Mobile Field Force at Central Precinct. North Precinct requested assistance for a crowd that had gathered around the North Precinct. I joined a Rapid Response Team at the North Precinct. The crowd was attempting to break into the precinct, barricading doors, throwing items at police, and starting fires. Many of the individuals in the crowd were armed with weapons. I saw subjects throwing rocks, glass bottles, fireworks, and other items. I was struck several times by unknown items.

3. At approximately 0130 hours on June 26, 2020, we were attempting to disperse the group to the north on NE Martin Luther King Jr. Boulevard. I had heard the sound truck give multiple warnings, about 15 to 20 times. I witnessed several officers have an altercation with an individual, and another person wearing a gas mask started to push and pull the officers. The person then grabbed an officer by the vest and began to pull the officer toward the crowd. I was concerned the officer would be assaulted further, so I deployed pepper spray into the person's face, which caused him to release the officer. The person was a white male, with a slim build, in his 20s, and wore black clothing and a gas mask.

4. At approximately 0215 hours, the crowd had moved to NE MLK and NE Killingsworth where they continued to throw items at police and shine lasers into the eyes of police. The crowd had was attempting to light North Precinct on fire. Due to the active aggression and them successfully starting a fire on the north side of the precinct, Delta Squad was directed to disperse the crowd further north. Once the crowd got to around NE Church Street, an RRT grenadier deployed a munition in an attempt to further disperse the crowd. I witnessed an unknown subject run up and grab an active munition. The subject was attempting to throw the munition back at police. The munition is a metal canister that is slightly larger than a

pop can and could cause injury if struck with it. I feared that if the item struck police it would cause injury. Due to the subject's active aggression in attempting to throw the item, I deployed a 40 mm sponge round and struck the subject. Once the subject was struck he dropped the cannister and retreated back into the crowd. The unknown subject had a thin build, wore dark clothing, a helmet, and a mask.

5. At approximately 0230 hours, we continued to disperse the crowd to the north on NE MLK. I saw an individual with a glass bottle. He pulled the glass bottle backward over his head as if he was going to throw it at the police. I deployed a 40 mm sponge round at his right thigh in an attempt to disrupt him, but he was able to throw the bottle before the round hit him. The individual was a white male, in his 20s, wearing a helmet and dark clothing.

6. Once we dispersed the crowd back to NE Ainsworth Street, I saw a person with a laser pointer. He was shining the laser into officers' faces, and I was concerned he was going to injure officers' eyes with the laser. I deployed a 40 mm sponge round at the person's right leg. Once he was struck, he fled behind a building, and I do not know where he went from there. He was a white male, with a medium build, wearing a gray shirt with dark colored sleeves.

7. I make this declaration in support of Defendant City of Portland's Response to Plaintiffs' Motion for Preliminary Injunction.

**I hereby declare that the above statement is true to the best of my knowledge and belief, and that I understand it is made for use as evidence in court and is subject to penalty for perjury.**

DATED: 7/3/2020

